



FEDERAL COURT OF AUSTRALIA
DISTRICT REGISTRY: VICTORIA
DIVISION: GENERAL

NO VID 647/2023

RAELENE COOPER

Applicant

NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT

AUTHORITY and others named in the Schedule

First Respondent

FIRST RESPONDENT'S WRITTEN SUBMISSIONS FOR 14 SEPTEMBER 2023

1. By interlocutory application filed on 7 September 2023, the Applicant seeks interlocutory injunctive relief restraining the Second and Third Respondents from undertaking activity as described in the Seismic Survey EP (as defined in the interlocutory application) until the hearing and determination of this proceeding or until further order.
2. That interlocutory application is opposed by the Second and Third Respondents (**Woodside**). The First Respondent (**NOPSEMA**) neither consents to nor opposes the interlocutory application.
3. Both Woodside and the Applicant have filed detailed evidence for the hearing of the interlocutory application. On 8 September 2023, Woodside stated its position that, subject to the question of standing as to ground 2, it did not contend that there was no serious question to be tried. NOPSEMA does not contend that there is no serious question to be tried in this interlocutory application. It is apparent that the contest between Woodside and the Applicant concerns the balance of convenience.
4. In those circumstances, NOPSEMA's considered position is that while it may file submissions on underlying questions of construction of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) and associated legislation at trial, it does not make any submission now on these matters bearing on the resolution of the application for interlocutory injunctive relief.

Date: 12 September 2023

Emily Nance
AGS lawyer

for and on behalf of the Australian Government Solicitor
Lawyer for the First Respondent

Filed on behalf of the First Respondent, National Offshore Petroleum
Safety and Environmental Management Authority

File ref: 23005410

Prepared by: Madisen Scott
AGS lawyer within the meaning of s 551 of the *Judiciary Act 1903*

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SCHEDULE

**FEDERAL COURT OF AUSTRALIA
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Respondents

Second Respondent: Woodside Energy Scarborough Pty Ltd
ACN 650 177 227

Third Respondent: Woodside Energy (Australia) Pty Ltd
ACN 006 923 879

NOTICE OF FILING

Details of Filing

Document Lodged:	Submissions
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	12/09/2023 11:09:01 AM AEST
Date Accepted for Filing:	12/09/2023 1:22:14 PM AEST
File Number:	VID647/2023
File Title:	RAELENE COOPER v NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT AUTHORITY & ORS
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.